

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**

8 **WESTERN DISTRICT OF WASHINGTON, AT SEATTLE**

9 CARPENTERS HEALTH & SECURITY
10 TRUST OF WESTERN WASHINGTON,
11 CARPENTERS RETIREMENT TRUST,
12 CARPENTERS-EMPLOYERS VACATION
13 TRUST, CARPENTERS-EMPLOYERS
14 APPRENTICESHIP & TRAINING TRUST
15 and PACIFIC NORTHWEST REGIONAL
16 COUNCIL OF CARPENTERS,

17 Plaintiffs,

18 vs.

19 S.L. CONSTRUCTION, a Washington
20 corporation,

21 Defendant,

22 and

23 FORTIS CONSTRUCTION, INC., a foreign
24 corporation,

25 Garnishee.

CAUSE NO.

APPLICATION FOR WRIT OF
GARNISHMENT

(No Bank or Employer)

21 **I. APPLICATION**

22 1.1 Plaintiffs have a judgment wholly or partially unsatisfied, against the Defendant, in the
23 court from which the writ is being sought.

24 1.2 The amount alleged to be due is the balance of the judgment or amount of claim,
25 \$16,088.20, plus interest and estimated garnishment costs as indicated in the writ.

1.3 Plaintiffs have reason to believe, and do believe, that Fortis Construction, Inc.,
Garnishee, whose business location is c/o C.T. Corporation System, 520 Pike Street, Seattle,
Washington, 98101 is

[X] indebted to the Defendant in amounts exceeding those exempted from
garnishment by any state or federal law; or
[] the garnishee has possession or control of personal property or effects belonging
to the Defendant which are not exempted from garnishment by any state or
federal law.

1.4 The garnishee [] is [X] is not the employer of the Defendant.

CERTIFICATION

I CERTIFY under penalty of perjury under the laws of the State of Washington that the
foregoing is true and correct.

Dated June 22, 2006, at Seattle, Washington.

s/Robert A. Bohrer
WSBA #5050
Ekman, Bohrer & Thulin, P.S.
220 W. Mercer, Ste. 400
Seattle, WA 98119
Telephone: (206) 282-8221
Fax: (206) 285-4587
E-mail: r.bohrer@ekmanbohrer.com
Attorney for Plaintiffs

S:\Collections\Carpenters-3160\Pleadings\2006\SL Const 3160 Garn7 Application-Fortis.doc

Honorable Robert S. Lasnik

04-CV-02339-DSG:NTN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

CARPENTERS HEALTH & SECURITY
TRUST OF WESTERN WASHINGTON,
CARPENTERS RETIREMENT TRUST,
CARPENTERS-EMPLOYERS VACATION
TRUST, CARPENTERS-EMPLOYERS
APPRENTICESHIP & TRAINING TRUST and
PACIFIC NORTHWEST REGIONAL
COUNCIL OF CARPENTERS,

Plaintiffs,

vs.

S.L. CONSTRUCTION, a Washington
corporation,

Defendant.

CAUSE NO.: CV4-2339RSL

ORDER FOR DEFAULT JUDGMENT

Clerk's Action Required

Plaintiffs Carpenters Health & Security Trust of Western Washington, Carpenters Retirement Trust, Carpenters-Employers Vacation Trust, Carpenters-Employers Apprenticeship & Training Trust and Pacific Northwest Regional Council of Carpenters have moved the Court for Default Judgment against Defendant S.L. Construction, a Washington corporation (Employer).

//

ORDER FOR DEFAULT JUDG
CASE NO. CV4-2339RSL - PAGE 1 OF 3

EKMAN, BORRER & THULIN, P.S.
QUEEN ANNE SQUARE
220 WEST MERCER ST., SUITE 400
SEATTLE, WASHINGTON 98119
TELEPHONE (206) 282-3221
FAX (206) 282-4587

1 **SUMMARY OF JUDGMENT**

- 2 1. Judgment Creditors: Carpenters Health & Security Trust of Western
3 Washington, Carpenters Retirement Trust, Carpenters-
4 Employers Vacation Trust, Carpenters-Employers
Apprenticeship & Training Trust and Pacific Northwest
Regional Council of Carpenters
- 5 2. Judgment Debtor: S.L. Construction
- 6 3. Contributions: \$12,647.38
- 7 4. Liquidated Damages: \$1,517.67
- 8 5. Interest to Date of Judgment: \$512.31
- 9 6. Costs: \$336.84
7. Attorney's Fees: \$1,074.00
- 10 8. Post-Judgment Interest: 12% per annum
- 11 9. Attorney for Judgment Creditor: Robert A. Bohrer, WSBA No. 5050
EKMAN, BOHRER & THULIN, P.S.

12

13 Pursuant to Plaintiffs' Motion for an entry of Default Judgment against Defendant
14 Employer and the Court having considered the pleadings on file, including the Order of Default
15 entered on January 10, 2005, and otherwise being generally advised, it is hereby

16 **ORDERED** that Plaintiffs be awarded a Default Judgment against Defendant Employer
17 in the amount \$16,088.20 representing contributions covering the period March 2004, May
18 2004, and August through October 2004 in the amount \$12,647.38, liquidated damages in the
19 amount \$1,517.67, interest in the amount \$512.31, costs in the amount \$336.84, and attorney's
20 fees in the amount \$1,074.00, for a total amount owing of \$16,088.20.

21 **IT IS FURTHER ORDERED** that such Default Judgment is deemed a final judgment
22 pursuant to FRCP 54(b) and there is no just reason for delay in entry of such judgment on
23 Plaintiffs' claims herein.

24

25

1 IT IS FURTHER ORDERED that this Judgment shall accrue interest on the total
2 unpaid balance at the rate of 12% per annum, pursuant to the terms of the Trust Agreements to
3 which Employer is bound.

4 DATED this 1st day of Feb. ASL
5 ~~January~~, 2005.

6
7 MSLarnik
8 U.S. District Court Judge/~~U.S. Magistrate Judge~~
9

10 Presented by:

11 s/Robert A. Bohrer
12 WSBA #5050
13 Ekman, Bohrer & Thulin, P.S.
14 220 W. Mercer, Ste. 400
15 Seattle, WA 98119
16 Telephone: (206) 282-8221
17 Fax: (206) 285-4587
18 E-mail: r.bohrer@ekmanbohrer.com
19 Attorney for Plaintiffs
20
21
22
23
24
25

S:\Collection\Carpenters\3160\Findings\2004\SL USDC2 Judge Order.doc

ORDER FOR DEFAULT JUDG
CASE NO. CV4-2339RSL - PAGE 3 OF 3

EKMAN, BOHRER & THULIN, P.S.
QUEEN ANNE SQUARE
220 WEST MERCER ST., SUITE 400
SEATTLE, WASHINGTON 98119
TELEPHONE: (206) 282-8221
FAX (206) 285-4587